

REMARKS

This amendment responds to the final Office Action which was mailed on August 23, 2007. In the claims, Claims 1-9, 14, and 16-18 have been canceled, Claim 15 has been amended, and new Claims 23-24 have been added. Claims 10-13 and 19-22 were previously canceled. In light of the amendments and the remark set forth below it is respectfully submitted that Claims 15, 23 and 24 are in condition for allowance. Applicant requests a favorable reconsideration of this application in light of the amendment and the remarks set forth below which constitute a full and complete response to the outstanding Office Action.

In the Office Action, Claim 16 was objected to as being dependent from rejected Claim 15, but was considered free of the prior art. In response to this indication of allowable subject matter, Claim 15 has now been rewritten to include all of the limitations of Claim 16. Therefore, Claim 15 should now be in condition for allowance. In addition, new Claims 23 and 24 have been added and are dependent from Claim 15 and are further limiting thereto. Therefore, these claims should also be in condition for allowance. Please note that Claims 23 and 24 merely recite possible reporters and quenchers, which were described in the specification as filed and are appropriate for use with the nucleic acid probe, respectively.

In summary, Claims 15, 23 and 24 remain in the case and based on the foregoing amendments and the indication of allowable subject matter should be considered in condition for allowance. Accordingly, it is respectfully submitted that these pending claims are patentable and in condition for allowance. Early reconsideration and withdrawal of the rejections is earnestly solicited, as is allowance of the claimed subject matter.

Respectfully submitted,

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DATE


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